IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.5497 of 2008
JHARILAL BAITHA
Versus
STATE OF BIHAR
---

3. 8.5.2008 Heard learned counsel for the petitioner and the state.

The petitioner is an accused in a case under Section 302/34 of the Indian Penal Code.

Learned counsel submits that there is no specific allegation of assault against the petitoner. He submits that lady accused namely, Jaraur Devi, Tetari Devi and Indu Devi have been granted bail by a Bench of this Court.

It appears from the F.I.R. that there was a dispute between the petitioner and the deceased and his family members .

It is alleged that this petitioner and two others caught hold the deceased and dragged him to their door and then assaulted with lathi.

Learned counsel for the state submits that the deceased , Chandrika Baitha, also stated that the petitioner assaulted him with lathi. The postmortem report also shows injury on vital part of the person of the deceased.

In the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage.

(S.P.Singh, J.)

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